

## **MINUTES OF MEETING – OCTOBER 4, 2005**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 4<sup>th</sup> day of October, 2005, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court retired to Executive Session at 11:28 AM.

The Commissioners Court reconvened the Voting Session at 12:06 PM.

The Commissioners Court recessed the Voting Session at 12:06 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 2:30 PM.

The Commissioners Court reconvened the regular Voting Session at 2:30 PM.

The Commissioners Court retired to Executive Session at 2:30 PM.

The Commissioners Court reconvened the Voting Session at 4:37 PM.

The Commissioners Court adjourned the Voting Session at 4:50 PM.



2. RECEIVE COMMENTS ON THE FOLLOWING ITEMS IN PRECINCT TWO:  
(9:19 AM)

A. PARTIAL VACATION OF A RECORDED SUBDIVISION: STAR RANCH SECTION ONE, LOTS 37-41, BLOCK E, LOTS 51-65, BLOCK F, AND LOTS 10-20, BLOCK G AS RECORDED IN DOCUMENT 200300014 OF TRAVIS COUNTY RECORDS; AND

B. STAR RANCH PHASE 2 REVISED PRELIMINARY PLAN (A REVISION OF HILLS OF FOREST CREEK PHASE ONE) – 197 LOTS – 80.74 ACRES – GATTIS SCHOOL ROAD – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND DRAINAGE DISTRICT NO. 3– CITY OF HUTTO ETJ. (COMMISSIONER SONLEITNER) (ACTION ITEM # 28)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 28 for a summary of the action item.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to open the public hearing.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Paul Linehan, representing Tim Timmerman, owner; and Gary Cooper, Augusta Bend, Travis County Resident.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to close the public hearing.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes





**SPECIAL ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROPRIATE ASSISTANCE IN RESPONSE TO HURRICANE RITA. (9:47 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Sherri Fleming, Executive Manager, TCHHS&VS; and Bill Derryberry, Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize the County to sign the request for public assistance, and the designation of the applicants agent on behalf of the Commissioners Court.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

**Clerk’s Note:** The Court also received a brief status report on the assistance that has been provided to persons affected by Hurricane Rita.

Item 5 to be reposted on October 11, 2005.

6. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ASSISTANCE TO PERSONS AFFECTED BY HURRICANE KATRINA. (10:00 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Clerk’s Note:** The Court received a brief status report on the assistance that has been provided to persons affected by Hurricane Rita.

Discussion Only. No formal action taken.

7. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:05 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the recommended order prohibiting outdoor burning.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 7 to be reposted on October 11, 2005.

### ADMINISTRATIVE OPERATIONS ITEMS

8. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$522,664.11 FOR THE PERIOD OF SEPTEMBER 16, 2005 THROUGH SEPTEMBER 22, 2005. (9:44 AM)

**Clerk's Note:** Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:44 AM)

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY SHERIFF'S OFFICE TO USE THE OLD TRAVIS COUNTY JAIL FOR A HAUNTED HOUSE FUNDRAISING EVENT OCTOBER 27 THROUGH OCTOBER 29, 2005. (9:44 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### JUSTICE AND PUBLIC SAFETY ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM OUTSIDE CONSULTANT'S ADMINISTRATIVE REVIEW INCLUDING STAFFING, REORGANIZATIONAL STRUCTURE, ACCREDITATION AND PROCEDURES IN MEDICAL EXAMINER'S OFFICE. (THIS ITEM MAY ALSO BE DISCUSSED IN EXECUTIVE SESSION, PURSUANT TO GOV'T CODE ANN 551.071 AND 551.074) (2:30 PM) (4:42 PM)

**Clerk's Note:** Judge Biscoe announced that Item 11 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

**Clerk's Note:** Item 11 was further discussed at 4:42 PM.

**Clerk's Note:** Item 11 and Item 47 are associated with one another and were called for concurrent discussion. Please refer to Item 47 for a summary of the action taken by the Court.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT A COMBINED CHARITIES FLYER FOR THE HALLOWEEN FESTIVAL AND AUTHORIZE DISTRIBUTION WITH COUNTY EMPLOYEE PAYCHECKS. (9:44 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR AN INTERLOCAL COOPERATION AGREEMENT WITH TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 8. (9:44 AM)

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL AND AMENDMENT NUMBER ONE TO CONTRACT NO. IL050134OJ, INTERLOCAL AGREEMENT WITH CITY OF AUSTIN, FOR USE AND MANAGEMENT OF STAR FLIGHT. (9:44 AM)

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL AND AMENDMENT NUMBER ONE TO CONTRACT NO. IL050135OJ, INTERLOCAL AGREEMENT WITH CITY OF AUSTIN, FOR EMERGENCY MEDICAL SERVICES. (9:44 AM)

**Clerk's Note:** Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### **PURCHASING OFFICE ITEMS**

16. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 05T00097LD, SEMMATERIALS LP, FOR EMULSIFIED ASPHALT. (TNR) (9:44 AM)

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 04T00006LD, BLUEBONNET CLEANING SERVICES, FOR JANITORIAL SERVICES AT EXPO CENTER. (FACILITIES MGT) (9:44 AM)

**Clerk's Note:** Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. APPROVE A THREE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 03T00010LD, FUELMAN OF AUSTIN, FOR FLEET FUEL CARD SERVICES. (TNR) (9:44 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. A. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 04T00269LD, PETROLEUM TRADERS, FOR GASOLINE AND DIESEL FUEL. (9:44 AM)
- B. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 05T00301LD, PETROLEUM TRADERS, FOR DIESEL FUEL. (TNR)

**Clerk's Note:** Items 19.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT 04T00057RV, ADVANCED FILTRATION SYSTEMS, FOR AIR FILTER REPLACEMENT SERVICES. (FACILITIES MANAGEMENT) (9:44 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. A. APPROVE EXEMPTION ORDER FOR THE RENTAL OF PAGERS FROM METROCALL FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (ES) (9:44 AM)
- B. APPROVE A THREE-MONTH EXTENSION (MODIFICATION NO. 9) TO CONTRACT 00T0105-RG, METROCALL, FOR RENTAL OF PAGERS.

**Clerk's Note:** Items 21.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 05T00118RG, CELESTIAL SERVICES, INC., FOR TRANSPORT OF CADAVERS. (MEDICAL EXAMINERS) (9:44 AM)

**Clerk's Note:** Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. REJECT ALL BIDS RECEIVED FOR IFB NO. B050102-RG, SURVEY SYSTEM, AND REBID. (TNR) (9:44 AM)

**Clerk's Note:** Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL050114RE WITH CITY OF AUSTIN FOR WEATHERIZATION SERVICES. (HHS) (9:44 AM)

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 05C00297BF, AMERICAN EUROCOPTER, LLC, FOR THE PURCHASE OF TWO HELICOPTERS. (EMERGENCY SERVICES/STARFLIGHT) (9:44 AM)

**Clerk's Note:** Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. APPROVE CONTRACT AWARD FOR COMMERCIAL AND CORRECTIONAL INSTITUTIONAL PLUMBING HARDWARE ITEMS, IFB B050114-NB, TO THE ONLY RESPONSIVE BIDDER, MARK'S PLUMBING. (SHERIFF'S OFFICE) (9:44 AM)

**Clerk's Note:** Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 24 AND 25 OF LAKEWOOD ESTATES (SHORT FORM PLAT – 2 LOTS – 2.17 ACRES – JOHNSON WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION. (COMMISSIONER DAUGHERTY) (9:44 AM)

**Clerk's Note:** Item 27 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING IN PRECINCT TWO: (9:44 AM)
- A. PARTIAL VACATION OF A RECORDED SUBDIVISION: STAR RANCH SECTION ONE, LOTS 37-41, BLOCK E, LOTS 51-65, BLOCK F, AND LOTS 10-20, BLOCK G AS RECORDED IN DOCUMENT 200300014 OF TRAVIS COUNTY RECORDS; AND
  - B. STAR RANCH PHASE 2 REVISED PRELIMINARY PLAN (A REVISION OF HILLS OF FOREST CREEK PHASE ONE) 197 LOTS – 80.74 ACRES – GATTIS SCHOOL ROAD – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND DRAINAGE DISTRICT NO. 3 -CITY OF HUTTO ETJ). (COMMISSIONER SONLEITNER)

**Clerk's Note:** Items 28.A and B are the action items for the public hearing on Agenda Item 2.

**Clerk's Note:** Items 28.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



31. CONSIDER AND TAKE APPROPRIATE ACTION ON IESI, TX LANDFILL L.P. REQUEST FOR VARIANCE FROM SUBCHAPTER C, CHAPTER 64, TRAVIS COUNTY CODE (SOLID WASTE FLOODPLAIN ORDINANCE) FOR SITE AT 9600 FM 812. (COMMISSIONER GOMEZ) (10:38 AM)

**Members of the Court heard from:** John Kuhl, Program Manager, Natural Resources, TNR; Royce Gray District Manager, IESI; Joe Vieceli, Regional Environmental Manager, IESI; John Vay, Attorney representing IESI, Kelly, Hart & Hallman; and Fletcher Kelly, Consulting Engineer, JFK Group Inc.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the variance for IESI.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 32. CONSIDER AND TAKE APPROPRIATE ON A REQUEST FOR THE TRAVIS COUNTY HOSPITAL DISTRICT TO ASSIST WITH THE PURCHASE OF MENTAL HEALTH SERVICES FROM THE CHILDREN'S MENTAL HEALTH PARTNERSHIP. (11:24 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to accept the \$250,000.00 of one time funding from the Travis County Hospital District for the provision of mental health services to indigents; that the Court authorize Health and Human Services to utilize the funding provided by the Hospital District to deliver mental health services to indigent children and their families through the Children's Mental Health Partnership; and to to authorize the continuation of services provided by the Children's Mental Health Partnership and its current staff through September 30th, 2006.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner to make sure we get regular updates, maybe quarterly, to the Hospital District on how things are going. We ought to put a reporting mechanism in here for them, say quarterly, in terms of what's happening with their investment.

**Acceptance of the Friendly Amendment was made by** Commissioner Gómez.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**PLANNING AND BUDGET DEPT. ITEMS**

33. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:

A. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL, CRIME VICTIMS DIVISION FOR A FAMILY VIOLENCE OUTREACH GRANT IN THE COUNTY ATTORNEY’S OFFICE. (9:44 AM)

**Clerk’s Note:** Item 33.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:09 AM)

**Members of the Court heard from:** Amalia Rodriguez Mendoza, Travis County District Clerk.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the budget amendments and transfers DS1 – DS10, the request by the District Clerk from the FY 2006 FACTS Reserve.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

35. APPROVE ORDER TO DIRECT DEPOSITING SALARY FUND MONIES INTO THE GENERAL FUND OF TRAVIS COUNTY. (9:44 AM)

**Clerk’s Note:** Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

**OTHER ITEMS**

- 36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:44 AM)

**Clerk’s Note:** Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 37. APPROVE BOND FOR PAMELA J. LANCASTER TO SERVE AS VISITING TRAVIS COUNTY JUSTICE OF THE PEACE. (9:44 AM)

**Clerk’s Note:** Item 37 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSIGNMENT AND ACCEPTANCE OF ASSIGNMENT BETWEEN EGP MANAGEMENT, L.L.C. (THE DOMAIN), SIMON PROPERTY GROUP, INC. AND TRAVIS COUNTY. (9:44 AM)

**Clerk’s Note:** Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 39. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTY COMPLIANCE WITH SENATE BILL 1863 REGARDING COLLECTION SERVICES. (10:22 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Travis Gatlin, Budget Analyst, PBO; and Diana Ramirez, Budget Analyst, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the staff recommendations with the recommendations made by the Commissioners Court today, incorporated by Staff; and to send, from the Commissioners Court, to Elected and Appointed Officials, a memo regarding Senate Bill 1863, the State Mandated Criminal Court Fines and Fees Collection Program.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

40. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO 10. (9:44 AM)

**Clerk's Note:** Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENTS BETWEEN TRAVIS COUNTY AND COMANCHE, GONZALES AND LULING INDEPENDENT SCHOOL DISTRICTS FOR THE OPERATION OF THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM; AGREEMENTS HAVE BEEN APPROVED BY TRAVIS COUNTY JUVENILE BOARD. (9:44 AM)

**Clerk's Note:** Item 41 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND THE FOLLOWING INDEPENDENT SCHOOL DISTRICTS: AUSTIN, DEL VALLE, EANES, GONZALES, LAKE TRAVIS, LAGO VISTA, LEANDER, LULING, MANOR, KNIPPA, NIXON-SMILEY, PFLUGERVILLE, ROSEBUD-LOTT AND ROUND ROCK FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM FOR STUDENTS EXPELLED IN COUNTIES WITH A POPULATION LESS THAN 125,000. (9:44 AM)

**Clerk's Note:** Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

43. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON COUNTY POLICY AND LEGAL STANDARDS REGARDING SPEECH ACTIVITIES ON TRAVIS COUNTY PROPERTY AND FACILITIES. <sup>1</sup> (11:28 AM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 43 to be reposted on October 11, 2005.

44. RECEIVE LEGAL BRIEFING ON COUNTY OPTIONS IN CASES WHERE PROPERTY OWNERS HAVE CONSTRUCTED ENCROACHMENTS IN COUNTY RIGHT-OF-WAY WITHOUT THE PERMISSION OR KNOWLEDGE OF TRAVIS COUNTY. <sup>1</sup> (11:28 AM) (2:30 PM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 44 to be reposted on October 18, 2005.

45. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN CONGRESSIONAL REDISTRICTING MATTER. <sup>1</sup>  
(11:28 AM) (4:39 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Travis Gatlin, Budget Analyst, PBO; and John Hille, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize the allocation of an additional \$6,000.00 to cover Tier 1 of anticipated attorneys' fees and costs; and that the amount come from Allocated Reserve.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

46. CONSIDER AND TAKE APPROPRIATE ACTION FOR RENEWAL OF TWELVE-MONTH LEASE OF 80 PARKING SPACES LOCATED AT 9<sup>TH</sup> AND LAVACA FOR PERIOD OF OCTOBER 2005 THROUGH SEPTEMBER 2006.  
<sup>1 AND 2</sup> (11:28 AM) (4:42 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 46, the 12-month renewal of the 80 parking spaces we lease at 9<sup>th</sup> and Lavaca.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

47. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON VARIOUS PERSONNEL MATTERS, INCLUDING NECESSARY STEPS TO FILL VACANT EMERGENCY SERVICES AND CRIMINAL JUSTICE PLANNING COORDINATOR POSITIONS. <sup>1 AND 3</sup> (2:30 PM) (4:42 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.074, Personnel Matters.

**Clerk’s Note:** Item 11 and Item 47 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Danny Hobby, former Emergency Management Coordinator, Emergency Services.

**Members of the Court agreed** to consider one Motion for Items 11 and 47.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to appoint Alicia Perez, Executive Manager, Administrative Operations to serve, on a temporary basis, as the equivalent of a Chief Operating Officer (COO) in the Medical Examiner's Office for up to 90 days; and that we expect her to carry on her other duties and responsibilities between now and then as best she can.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes







